

Jan 09, 2020

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

-vs-

JAMES PHILLIP MONAGHAN, III,

Defendant.

No. 2:19-CR-0206-WFN-1

PROTECTIVE ORDER

Pending before the Court is the Government's Unopposed Motion for Protective Order. ECF No. 21. The Government seeks protections against dissemination of the discovery materials and the sensitive information contained therein. The Government represents that the Defendant has no objection. The Court has reviewed the file and Motions and is fully informed. Accordingly,

**IT IS ORDERED** that:

1. The Government's Motion for Protective Order, filed January 8, 2020, **ECF No. 21**, is **GRANTED**.

2. Pursuant to the discovery obligations previously imposed by the Court, the United States is authorized to disclose discovery in its possession and any Protected Information contained therein. As used herein, "Protected Information" means sensitive personal, business, and financial information of defendants and third parties, including for example, social security numbers, driver's license and identification information, taxpayer identification numbers, tax information and records, salary information, dates of birth, birth places, addresses, phone numbers, e-mail addresses, personal photographs,

1 cooperating witness information, minor witness information, and financial and business  
2 account numbers and information.

3 3. Counsel for Defendant (hereinafter "Defense Counsel") shall not share or provide  
4 any discovery items produced by the United States in this case with anyone other than  
5 designated Defense Counsel, defense investigators, retained expert witnesses, and support  
6 staff. Defense Counsel may permit their respective Defendant to view unredacted discovery  
7 items in the presence of Defense Counsel, defense investigators, and support staff. Defense  
8 Counsel personally, or through Defense Counsel's investigators and support staff, may show  
9 unredacted discovery items to witnesses regarding items or events about which a witness  
10 may have personal knowledge. Defense Counsel and his investigators and support staff  
11 shall not allow Defendant or witnesses to copy Protected Information contained in the  
12 discovery.

13 4. The discovery and information therein may be used only in connection with the  
14 litigation of this case and for no other purpose. The discovery is now and will forever remain  
15 the property of the United States. At the conclusion of the case, Defense Counsel will return  
16 the discovery to the United States, will certify that it has been shredded, or, if the materials  
17 are still needed, will store it in a secure place and not disclose it to third parties. If the  
18 assigned Defense Counsel is relieved or substituted from the case, Defense Counsel will  
19 return the discovery to the United States or certify that it has been shredded.

20 5. Defense Counsel shall store the discovery in a secure place and will use  
21 reasonable care to ensure that it is not disclosed to third persons contrary to the Protective  
22 Order.

23 6. Defense Counsel shall be responsible for advising Defendant, employees,  
24 witnesses, and other members of the defense team of the contents of this Protective Order.

25 7. This Protective Order shall also apply to any new Defense Counsel that may later  
26 become counsel of record in this case.

27 The District Court Executive is directed to file this Order and provide copies to  
28 counsel.

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2 **DATED** this 9th day of January, 2020.  
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5 WM. FREMMING NIELSEN  
6 SENIOR UNITED STATES DISTRICT JUDGE  
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